IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

ROGER D. RILEY, PLAINTIFF, VS. NO. 1-04-1267-T-P WAL-MART STORE #335, WAL-MART ASSOCIATES, INC., WAL-MART STORES, INC., WAL-MART STORES EAST, INC., A&M CLEANING PRODUCTS, INC., BIO-LAB, INC., Individually and as Owner of A&M CLEANING PRODUCTS, INC., BIO-LAB, INC., as a wholly-Owned subsidiary of GREAT LAKES CHEMICAL CORPORATION, GREAT LAKES * CHEMICAL CORPORATION, Individually * AUTOMATED PACKAGING SYSTEMS, INC., * AUTOMATED PACKAGING SYSTEMS SOUTHEAST, LLC, CKS PACKAGING, INC., and PACKAGE SUPPLY & EQUIPMENT CO., INC.,

CONSENT ORDER OF DISMISSAL WITH PREJUDICE OF DEFENDANT AUTOMATED PACKAGING SYSTEMS, INC. ONLY

It appearing to the Court that at the telephonic Status Conference held in this case on August 11, 2005 by Magistrate Judge Tu M. Pham, that Plaintiff advised the Court that Plaintiff consented to the entry by the Court of an Order of Dismissal with Prejudice of Defendant Automated Packaging Systems, Inc.;

DEFENDANTS.

It is hereby Ordered that Defendant Automated Packaging Systems, Inc. be, and is hereby, dismissed with prejudice from this action.

U.S. DISTRICT COURT JUDGE

12 august 2005

DATE

APPROVED:

_ ---

Mitchell G. Tollison & 105

Tollison Law Firm P.O. Box 11028 Jackson, Tennessee 38308 (731) 668-9886

Attorney for Plaintiff

BY:

DeWitt M. Shy, Jr. #5163
Burch, Porter & Johnson PLLC
130 North Court Avenue
Memphis, Tennessee 38103
(901) 524-5137

Attorneys for Defendant

Automated Packaging Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have forwarded a copy of the foregoing to the following, via U.S. mail, postage prepaid, this _____ day of August, 2005:

Mitchell G. Tollison P.O. Box 11028 Jackson, Tennessee 38308

Edwin E. Wallis, Jr.
Moss, Benton & Wallis, PLLC
P.O. Box 3897
Jackson, Tennessee 38303

Clinton J. Simpson Michael Richards Baker, Donelson, Bearman, Caldwell & Berkowitz, PC 165 Madison Avenue, Suite 2000 Memphis, Tennessee 38103

Stephen R. Pennell Stuart & Branigin 300 Main Street, Suite 900 P.O. Box 1010 Lafayette, Indiana 47902

William M. Jeter 35 Union Avenue Memphis, Tennessee 38103

Russell E. Reviere Rainey, Kizer, Reviere & Bell, PLC 209 E. Main Street Jackson, Tennessee 38302

DeWitt M. Shy, Jr



Notice of Distribution

This notice confirms a copy of the document docketed as number 41 in case 1:04-CV-01267 was distributed by fax, mail, or direct printing on August 15, 2005 to the parties listed.

W. Michael Richards
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ
165 Madison Ave.
Ste. 2000
Memphis, TN 38103

William M. Jeter LAW OFFICE OF WILLIAM JETER 35 Union Ave. Ste. 300 Memphis, TN 38103

Michael D. Herrin LAW OFFICE OF WILLIAM JETER 35 Union Ave. Ste. 300 Memphis, TN 38103

Mitchell G. Tollison TOLLISON LAW FIRM 2821 N. Highland Ave. Ste. A Jackson, TN 38305

Russell E. Reviere RAINEY KIZER REVIERE & BELL 209 E. Main Street Jackson, TN 38302--114

Clinton J. Simpson BAKER DONELSON BEARMAN & CALDWELL 20th Floor 165 Madison Avenue Memphis, TN 38103

Judy Barnhill Criminal Justice Complex 515 S. Liberty St. Jackson, TN 38301 Stephen R. Pennell STUART & BRANIGIN, LLP 300 Main St., Ste. 900 P.O. Box 1010 Lafayette, IN 47902--101

Lori J. Keen GLASSMAN EDWARDS WADE & WYATT, P.C. 26 N. Second Street Memphis, TN 38103

DeWitt M. Shy BURCH PORTER & JOHNSON 130 N. Court Avenue Memphis, TN 38103

Edwin E. Wallis MOSS BENTON & WALLIS, PLLC 325 N. Parkway P.O. Box 3897 Jackson, TN 38303--389

Honorable James Todd US DISTRICT COURT